

EVERY STUDENT SUCCEEDS ACT (ESSA) IMPLEMENTATION: HOMELESS AND FOSTER CARE EDUCATION

ACET OCTOBER 2016





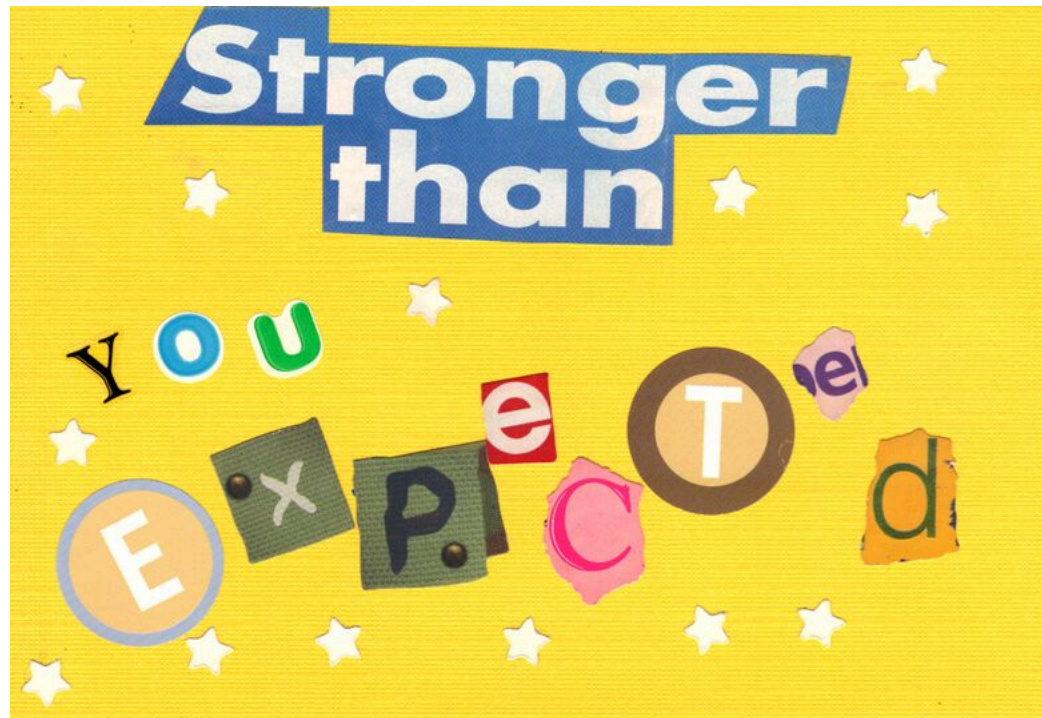
Kelly Kravitz

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*Please contact me with questions,
concerns, ideas and input. We greatly
value your insights and feedback!*

The postcard art throughout this presentation was generously donated by Foster Care Alumni of America
www.fostercarealumni.org







Presentation Content:



- ❑ **ESSA updates McKinney-Vento**
- ❑ **Other updates McKinney-Vento**
- ❑ **ESSA updates Foster Care**

Data
Reporting

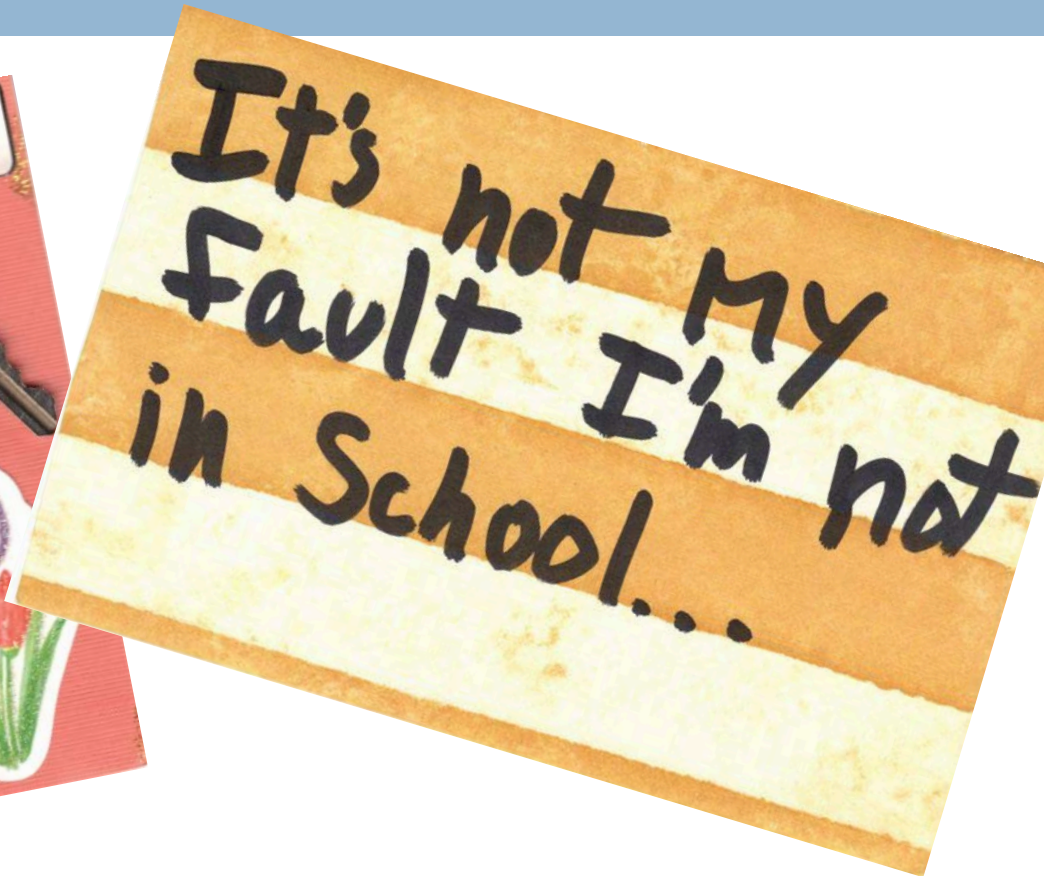


Questions for Consideration

- Who in your district needs to be included in ESSA homeless education planning? Who needs to be involved in foster care planning?
- What decisions and activities are needed to support implementation?
- What are some upcoming training and professional development opportunities where this information can be shared?

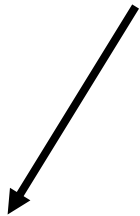
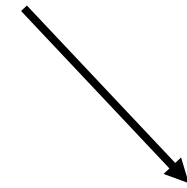
Next Steps: Stay informed about federal and state efforts to implement the Every Student Succeeds Act.

McKinney-Vento Homeless



McKinney-Vento Homeless Education Texas

9



U.S. Department of Education Guidance

- **Non-Regulatory Guidance:**

- <http://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

- **Homeless Student Notice of Rights and Protections:**

- <http://www2.ed.gov/policy/elsec/guid/secletter/160726.html>

- **Homeless Student Guidance Fact Sheet:**

- <http://www2.ed.gov/policy/elsec/leg/essa/160315ehcyfactsheet072716.pdf>

- **ESSA ED Guidance:**

- <http://www2.ed.gov/policy/elsec/leg/essa/index.html>



ESSA National TA Resources:

- National Center for Homeless Education:
<http://nche.ed.gov/about.php>
- National Association for the Education of Homeless Children and Youth:
<http://www.naehcy.org/essa-legislation-bill-summaries-text-and-us-department-education-guidance-and-regulations>

Where Can I Get Guidance on Homeless Students?

 **REGION 10**
EDUCATION SERVICE CENTER

*experience the **Power** of 10*

Charles A. Dana Center at The University of Texas at Austin

**Texas Homeless
Education Office**



McKinney-Vento/Homeless
Education – Professional
Development:

<http://www.region10.org/mckinney-vento-homeless/>

<http://www.theotx.org/>

1- 800-446-3142

Kelly Kravitz, Foster Care
Education & Policy, and
Homeless/McKinney-
Vento, State Coordinator;
kelly.kravitz@tea.texas.gov;
512-463-9235

TEA
Texas Education Agency

Did you know?

The ESSA McKinney-Vento law changes
are now in effect.

October 1, 2016



McKinney-Vento, Homeless Education:

- Emphasis that SEA and LEA designated liaison have capacity to ‘sufficiently carry out’ the duties described in MV law. **42 USC 11432(d)(3); 42 USC 11432(g)(1)(J)(iv)**
- Increased emphasis on identification of students and coordination with community stakeholders. **42 USC 11432(d)(5); 42 USC 11432(g)(1)(I); 42 USC 11432(g)(7); 42 USC 11432(g)(5)(C); 42 USC 11433(a)(1)**
- SEA and LEA must develop, review and revise policies to remove barriers to the identification, enrollment and retention of homeless students in schools, including barriers due to fees, fines, and absences. **42 USC 11432(g)(1)(I).**
- Training requirements for all LEAs regarding MV. **42 USC 11432(f)(6)**

MV Definition changes:

- Expanded 'school of origin' to include the child's designated receiving school at the next grade level. **42 USC 11432(g)(3)(I)(ii)**
- Expanded 'school or origin' to include preschool as an option for where the student was last enrolled. **42 USC 11432(g)(3)(I)(i).**
- Removes 'awaiting foster care' from McKinney-Vento definition. **42 USC 11431 et seq (December 10, 2016)**
 - As of this date student's who are in DFPS Managing Conservatorship and living in settings that would meet the definition of McKinney-Vento will be served under the Title I, Part A foster care provisions and no longer be defined as homeless under McKinney-Vento (ED/HHS and ED ECHY Non-Regulatory Guidance).

Continued:

- Information added regarding disputes and the LEA responsibility to notify the parent, guardian or unaccompanied youth in writing, if the school of origin is not in the 'best interest'. 42 USC 11432(g)(3)(B)(iii)
- Information regarding factors for determining 'best interest' has been added to law. 42 USC 11432(g)(3)(B)(ii) and (iii).
- New emphasis on coordination between Homeless and SPED for children with disabilities. 42 USC 11432(g)(6)(A)(x)(III)
- Local liaisons must ensure that unaccompanied homeless youth are supported in transition to college and provide guidance on financial aid and properly filing the FAFSA. **42 USC 11432(g)(6)(A)(x)(III)**

Continued:

- Homeless children must be enrolled immediately, even if they have missed application and enrollment deadlines during any period of homelessness. **42 USC 11432(g)(3)(I)(ii).**
- A LEA can confirm a student's homeless status for HUD purposes. **42 USC 11432(g)(6)(D).**
- A student's homeless status must be treated as confidential and privacy protected by FERPA. **42 USC 11432(g)(3)(G)**
- New data requirements: determine graduation and dropout rates, include in accountability ratings, state report cards, etc. **20 USC 6311(h)(1)(C)(ii)**

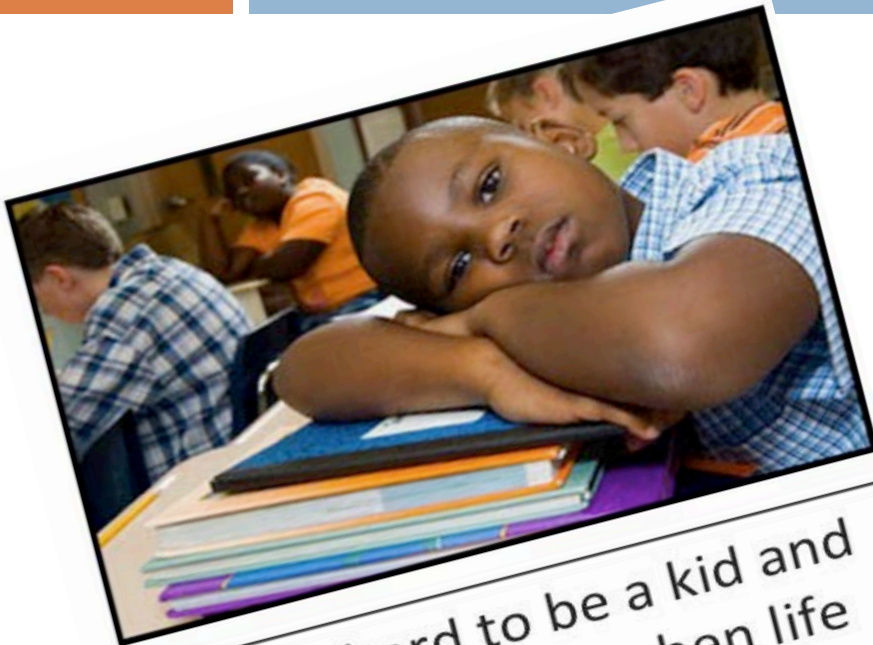
ESSA: Title I, Part A and McKinney-Vento

- Local Title I plans must describe the services the LEA will provide to support the enrollment, attendance, and success of homeless children and youth, including services provided with the Title I homeless reservation, in coordination with the services the LEA provides under the McKinney-Vento Act. **20 USC 6312(b)(6)**
- The amount of Title I funds reserved for homeless children and youth may be determined based on a needs assessment, and must be based on the total allocation received by the LEA and reserved prior to any allowable expenditure of transfers by the LEA. **20 USC 6313(c)(3)(B) and (C)(i)**
- Title I funds reserved for homeless children and youth may be used for services not ordinarily provided by Title I, including local liaisons and transportation to the school of origin. **20 USC 6313(c)(3)(C)(ii)**

Other updates McKinney-Vento:

- LEA McKinney-Vento Homeless Liaison Information is stored and maintained in AskTED (Texas Education Directory)
http://www.region10.org/r10website/assets/File/AskTed_HmlssLiaison_Search_Instructions_THEO.pdf
- TEA now hosts a McKinney-Vento Homeless Education Listserv. Sign-up to receive updates: <https://public.govdelivery.com/accounts/TXTEA/subscriber/new>
- Dispute resolution procedures/process for local and state level disputes is established. Visit THEO website for more info: <http://www.theotx.org/resource/mckinney-vento-homeless-education-dispute-resolution-process/>
- Guidance on TEC 33.906 (HB 1559) requiring school campuses with a website to post information regarding local services and program that assist homeless students is available: <http://www.theotx.org/resource/texas-hb-1559/>
- TEA will be developing in a monitoring system to monitor all LEAs regarding McKinney-Vento.

Foster Care



It was hard to be a kid and focus at school when life had so many uncertainties.



U.S. Department of ED and HHS ESSA Foster Care Joint Guidance: June 23, 2016

- **Non-Regulatory Guidance:**
 - <http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf>
- **Dear Colleague Letter on Foster Care Guidance:**
 - <http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercaredcl.pdf>
- **Dear Colleague Letter on Foster Care Timelines:**
 - <http://www2.ed.gov/policy/elsec/leg/essa/edhhseffectivedatesdcl.pdf>



U.S. Department of ED and HHS ESSA Foster Care Joint Guidance: Webinar Series

- USDE, ESSA Laws and Guidance:
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>
 - [An Overview of the ED/HHS Joint Guidance](#) (7.27.16)
 - [Points of Contact](#) (8.17.16)
 - [Best Interest Determination and Immediate Enrollment](#) (8.24.16)
 - [Transportation](#) (8.31.16)
 - [Effective Collaboration](#) (9.7.16)
- USDE, Foster Care:
<http://www2.ed.gov/about/inits/ed/foster-care/index.html>



Additional Resources

- American Association of School Administrators (AASA) and National Association for the Education of Homeless Children and Youth (NAEHCY), Considerations for LEAs in Developing Transportation Procedures for Students in Foster Care under ESSA:
http://www.aasa.org/uploadedFiles/Policy_and_Advocacy/AASANAEHCYTransportationplanguide.pdf
- The Legal Center for Foster Care and Education:
<http://fostercareandeducation.org/NewsUpdates.aspx>
- NAEHCY, Foster Care: <http://www.naehcy.org/essa-and-children-foster-care>
- NCHE, Foster Care: http://nche.ed.gov/ibt/sc_foster.php
- US Dept of Health and Human Services, Administration for Children and Families, Children's Bureau, Child Welfare Information Gateway:
<https://www.childwelfare.gov/topics/systemwide/service-array/education-services/meeting-needs/educational-stability/>

Coming Soon!



- TEA/DFPS
FAQ
- TASB
supportive
resources

Please make sure your FC Liaison contact information is up-to-date in AskTED!

To sign-up for TEA Foster Care & Student Success visit:
<https://public.govdelivery.com/accounts/TXTEA/subscriber/new>

ESSA and Students in Foster Care

- ESSA aligns federal education law with child welfare law
- Fostering Connections to Success and Increasing Adoptions Act of 2008 promotes school stability by:
 - Promotes school of origin and maintaining child in the school enrolled at the time of placement, unless it is not in the child's best interest, coordination between education and child welfare;
 - Assures foster care placement decisions take into account appropriateness and proximity of current educational setting; and
 - Requires immediate and appropriate enrollment if remaining in that same school would not be in the child's best interest.

42 U.S.C. § 675(1)(G)

- A number of ESSA requirements are already in Texas law, but expand collaboration with the child welfare organization at state and local levels (20 USC 6311(g)(1)(E)(i))

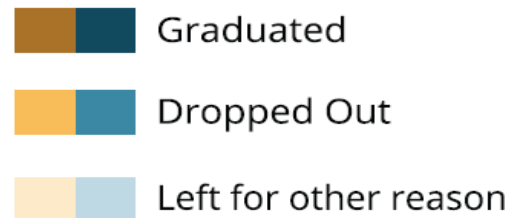
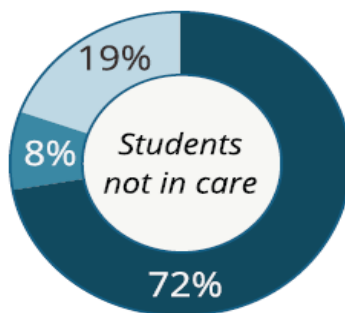
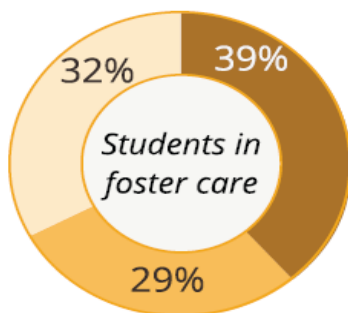


23,326

**students in foster care
attended Texas public
schools during the school
year**

Data sources for this report: Texas Education Agency's Public Education Information Management System (PEIMS) and the Department of Family and Protective Service's Information Management Protecting Adults and Children in Texas (IMPACT).

Dropout & Graduation Leavers



(PEIMS 2012 School Leaver Codes)

The percentages above are not graduation or dropout rates. These numbers represent the students who graduated or dropped out during the year divided by the total number of leavers for that school year



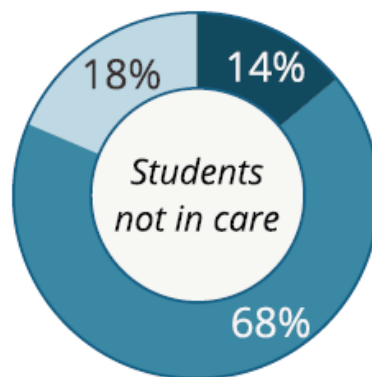
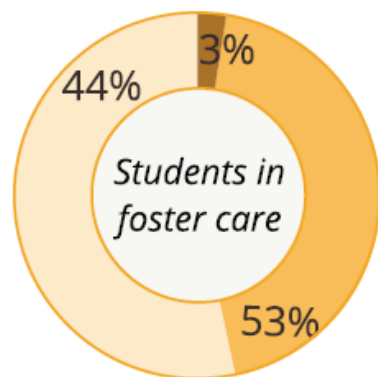
of students in care
attended **2+ schools**
in one school year

School Mobility

The percentage of students in foster care who attended 2+ schools in one school year (47%) was **6.5** times that of students not in care (7%).

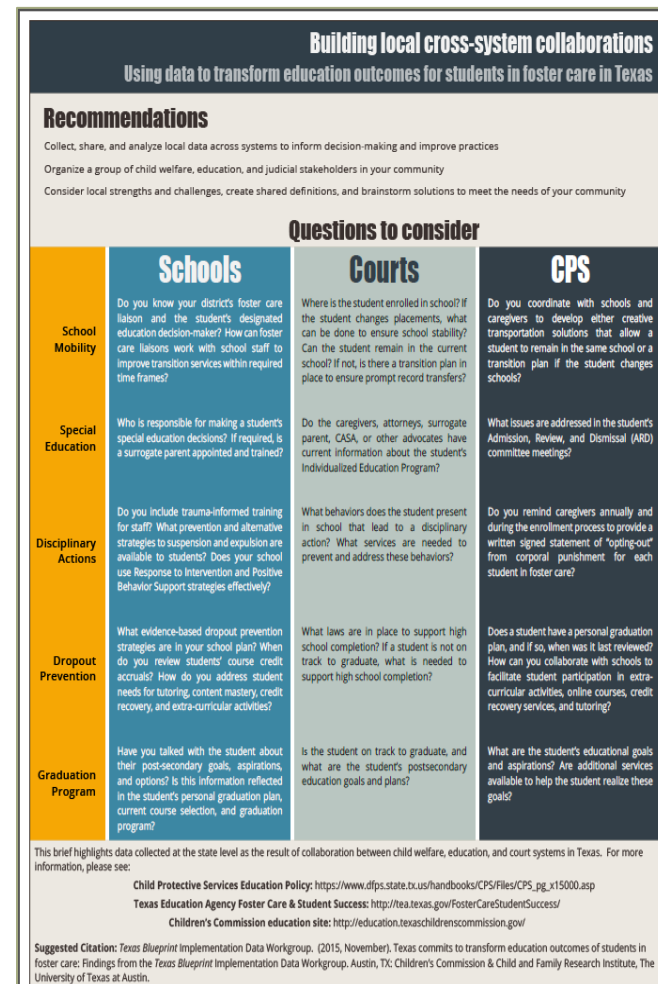
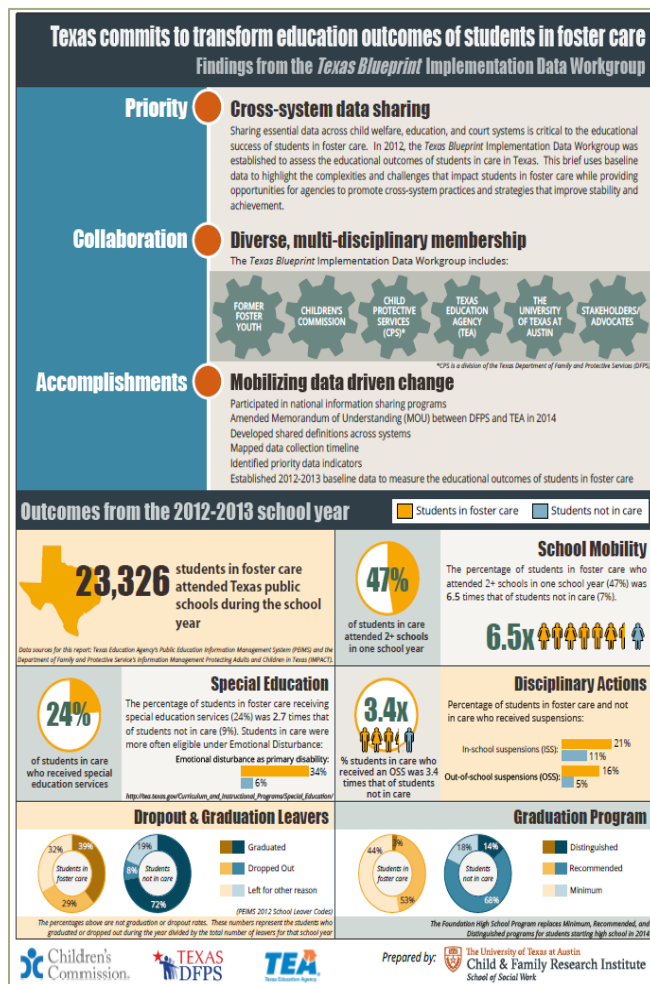


Graduation Program



The Foundation High School Program replaces Minimum, Recommended, and Distinguished programs for students starting high school in 2014

Foster Care & Education Data Infographic



Preliminary questions for consideration:

- How many children in DFPS managing conservatorship attend school in your LEA? Is that number growing?
- How many children in DFPS Managing Conservatorship are placed in the LEA?
- What type of placement settings are in your district?
 - ▣ Kinship Caregiver
 - ▣ Foster Home
 - ▣ Emergency Shelter
 - ▣ Residential Treatment Center
 - ▣ Other
- Do you know and work with the DFPS Education Specialist in your region or other DFPS staff?

ESSA and Students in Foster Care | Changes

- **ESSA Components:**
 - Designating points of contact between education and child welfare;
 - Transportation planning;
 - Including students in Foster Care in Title I;
 - Requiring new data reporting; and
 - SEA State Plan updates.
- Provides opportunity to examine and strengthen current practices and aligns with existing Texas laws (e.g., school of origin)

ESSA and Texas Law Work Together

- Under ESSA, students have a right to remain at school of origin unless it is not in their best interest

20 U.S.C. §6311(g)(1)(E)(i)

- In Texas, students in foster care can remain at the school they are attending (both upon entering care and after changing foster care placement) unless it is not in their best interest:
 - Without payment of tuition
 - Through the highest grade level offered at that campus
 - Even after exiting the foster care system

Tex. Educ. Code §25.001(g)-(g-1)

- If remaining in the same school, is not in the child's best interest; both federal and state law require prompt enrollment at the new school

20 U.S.C. §6311(g)(1)(E)(ii), Tex. Educ. Code §25.002(g)

NEW Requirements | ESSA

- Local Title I plans must contain assurances that LEAs will collaborate with the state or local child welfare agency to:
 - Develop and implement clear written procedures for how transportation will be *provided, arranged and funded* to maintain students in foster care in their schools of origin, when in their best interest, for the duration of their time in FC.

20 U.S.C. §6312(c)(5)(B)
 - Procedures will ensure that students in foster care needing transportation to schools of origin will *promptly receive* transportation in a *cost effective* manner and in accordance with section 475(4)(A) of the Social Security Act 42 U.S.C. §675(4)(A)

20 U.S.C. §6312(c)(5)(B)(i)

NEW Requirements | ESSA

- Procedures will also ensure that if there are *additional costs* incurred in providing transportation to the school of origin, LEAs will provide it if:
 - The LEA is reimbursed by the child welfare agency;
 - The LEA agrees to pay the costs; or
 - The LEA and the child welfare agency agree to share the costs

20 U.S.C. §6312(c)(5)(B)(ii)

*‘Additional costs incurred should reflect the difference between what an LEA otherwise would spend to transport a student to his/her assigned school and the cost of transporting a child in foster care to their school of origin (ED/HHS Non-Regulatory Guidance, p. 7-8).

Clear, written, procedures | Start with what you know:

1. The LEA is reimbursed by the child welfare agency;

2. The LEA agrees to pay the costs; or

3. The LEA and the child welfare agency agree to share the costs

Procedure development, next steps:

- ✓ Identify who needs to be involved in your district
- ✓ Share information about the ESSA foster care provisions with appropriate people in your district.
- ✓ Set a planning meeting
- ✓ Draft procedures, with information you have for consideration and review
- ✓ Reach out to DFPS Education Specialist, *more information will be forthcoming*





Transportation Procedures: ED/HHS Guidance

- Title IV-E is an allowable funding source for children in foster care
 - ▣ Not all children in FC are eligible and Tribal FC may be eligible.
- Title I is an allowable funding source; however, funds reserved for comparable services for homeless children and youth ***may not*** be used for transportation.
- Transportation procedures should be developed collaboratively between the LEAs and CWAs.

NEW Requirements ESSA | Point of Contact

- Local Title I plans must contain assurances that LEAs will collaborate with the state or local child welfare agency to:
 - Designate a point of contact for the local child welfare agency, if the local child welfare agency notifies the LEA, in writing, that it has designated a point of contact for the LEA

20 U.S.C. §6312(c)(5)(A)

****Must be implemented by December 10, 2016****



Regional Texas Contacts

- Existing points of contact in the both education and child welfare systems can help Texas to meet these new requirements
- DFPS Education Specialists*
 - <http://texaschildrenscommission.gov/foster-care-education/education-resources.aspx>
- District/Charter School Foster Care Liaisons and ESC Foster Care Champions
 - <http://tea.texas.gov/FosterCareStudentSuccess/liaisons/>

*More guidance will be forthcoming on this issue.

Foster Care Liaison Contact Information

[AskTED](#) is a real-time public database where each school district and charter school's foster care liaison is listed. You can view and download foster care liaison information in AskTED. Information is available by district, region, and county.

For step-by-step instructions with pictures of how to view and download a current list of foster care liaisons in AskTED, please follow the [guidance for how to find the foster care liaison contact information in AskTED](#) (PDF).

Voluntary Foster Care Champions exist in each Education Service Center (ESC) to support districts, answer questions and encourage local training efforts. The contact information of Foster Care Champions is available at [ESC Foster Care Champions](#) (PDF).

<http://tea.texas.gov/FosterCareStudentSuccess/liaisons/>

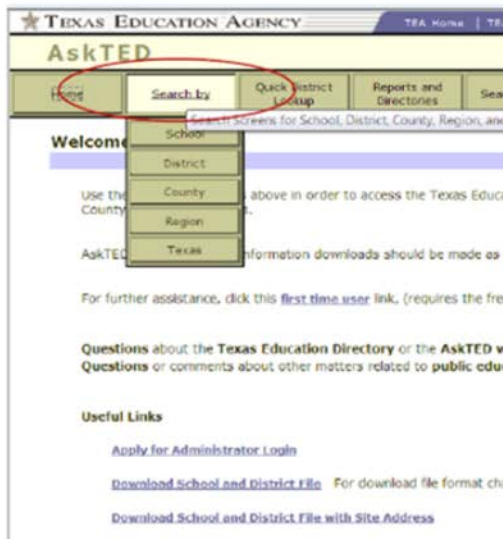
School District Foster Care Liaison Information is now maintained in AskTED.

AskTED is TEA's online Texas Education Directory. AskTED is real-time database where each district and charter schools foster care liaison contact information is maintained starting in the 2014-15 school year. Updates and or/changes regarding the foster care liaison(s) contact information is now submitted to TEA through each districts AskTED administrator. Charter schools are responsible to submit their foster care liaison(s) to the Charter School Division at TEA directly via (512) 463-9575 or CharterSchools@tea.state.tx.us. Below are two different avenues (with instructions and pictures) to view and download Foster Care Liaison contact information from TEA's AskTED database.

→ To view and/or download the foster care liaison list by: "School," "District," "County," "Region," or "Texas" from AskTED, follow the instructions below:

1) Go to the [AskTED](http://mansfield.tea.state.tx.us/TEA.AskTED.Web/Forms/Home.aspx) homepage:<http://mansfield.tea.state.tx.us/TEA.AskTED.Web/Forms/Home.aspx>

2) Select "Search by" and choose how you would like to search by "Region," or "Texas".



TEA Foster Care Liaison Info:

<http://tea.texas.gov/FosterCareStudentSuccess/laws/>

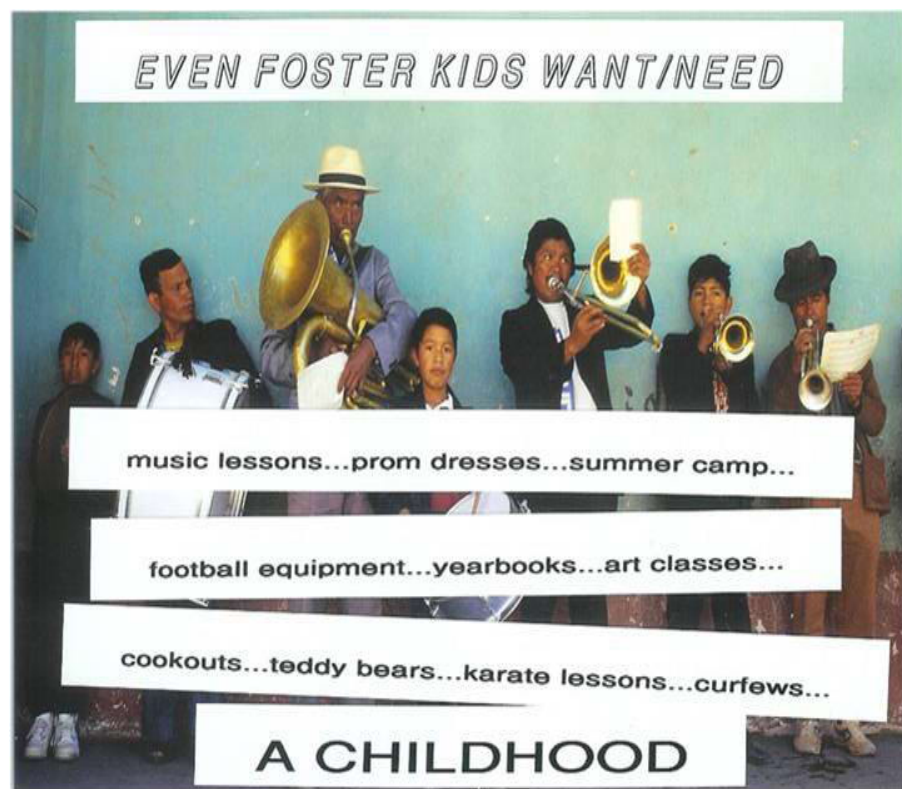
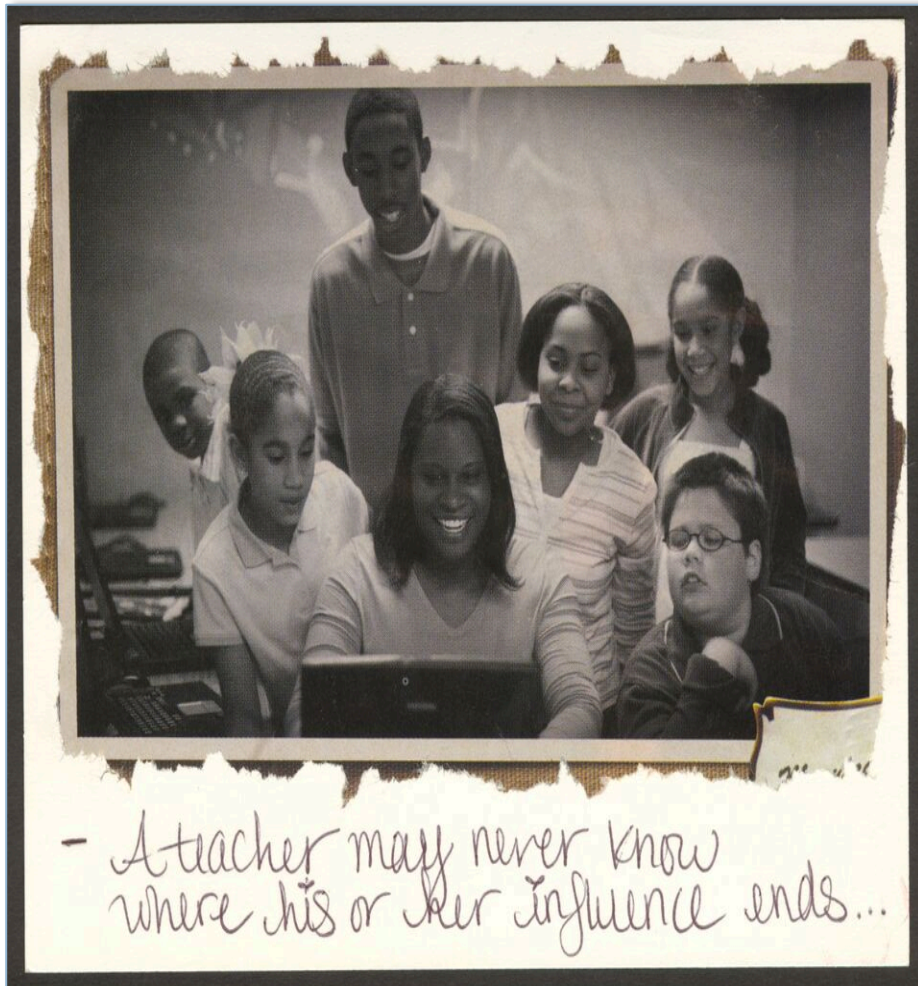
✓ Liaison contact information and updates are submitted to TEA through each district's AskTED administrator.

✓ **For questions about AskTED updates**, please contact Lynne Krajevski, TEA AskTED Administrator, at askTED@tea.state.tx.us or 512-463-9809.

✓ **If you are a charter school**, please contact the Charter School Division at (512) 463-9575 or CharterSchools@tea.state.tx.us directly to submit the name and contact information of your foster care liaison.

ESSA & Best Interest

“Any such child enrolls or remains in school of origin, unless a determination is made that it is not in the child’s best interest to attend the school of origin, which decision shall be based on ***all factors*** relating to the child’s best interest, including consideration of the *appropriateness of the current educational setting* and the *proximity* to the school in which the child is enrolled at the time of placement.” 20 U.S.C. §6311(g)(1)(E)(i)





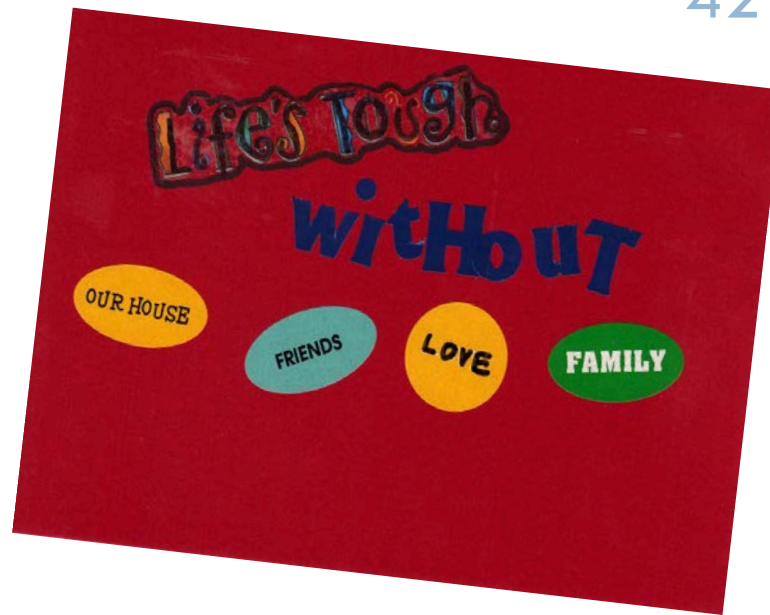
ESSA | Best Interest

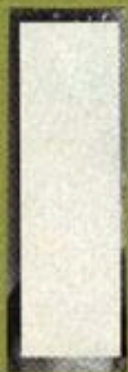
- Encourages educators and child welfare to work together to determine what school is in the child's best interest.
- There are many factors that relate to determining 'Best Interest' for students in foster care.
- Educators can provide information to DFPS that supports their decision-making and planning processes.
- DFPS makes the final decision regarding "Best Interest".

Homelessness and Foster Care

- ESSA removes 'awaiting foster care' from McKinney-Vento Education of Homeless Children and Youth Assistance Act definition of homeless children and youth

42 U.S.C. § 11434a (2)





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odds

Data and Accountability

- Students in foster care are now a mandatory sub-group for which LEAs and states must collect and report data

20 USC §6311(h)(1)(C)(ii)

- State report cards must include disaggregated information, including the graduation rates and academic achievement of students in foster care

20 USC §6311(h)(1)(C)(iii)

- The existing PEIMS code for students in foster care will help Texas to fulfill the new data collection requirements

TEC §7.029(b-1)

Identifying students in foster care for PEIMS:

- Have you seen an increase or decrease in numbers over the past few years?
- What are your current processes for collecting this information?
- What are your current challenges?
- Share one lesson learned or improvement you've made to support identification?

SEA Engagement | State Plan

- Describe steps SEA will take to coordination with state child welfare agency to ensure educational stability of children in foster care including assurances:
 - ▣ Children may remain in their school of origin, unless a determination is made that it is not in their best interest...
 - ▣ If it's not in the child's best interest to remain they may be immediately enrolled in the new school, even without records.
 - ▣ The enrolling school will immediately contact the school last attend to obtain relevant academic and other records.
- SEA will designate an employee to serve as a point of contact for child welfare and agencies and oversee implementation, who cannot be the MV State Coordinator.



Trauma-Informed Education Resources

- Trauma Sensitive Schools: <http://traumasensitiveschools.org/>
- Compassionate Schools: The Heart of Learning and Teaching: <http://www.k12.wa.us/compassionateschools/>
- The National Childhood Traumatic Stress Network:
 - Child Trauma Toolkit For Educators:
<http://www.nctsn.org/resources/audiences/school-personnel/trauma-toolkit>
 - Resources for Schools:
<http://www.nctsn.org/resources/audiences/school-personnel/resources-for-schools>
 - National Foster Care Awareness Month:
<http://www.nctsn.org/resources/public-awareness/national-foster-care-month%20>
- Why Schools Need to Be Trauma Informed:
[http://www.traumainformedcareproject.org/resources/WhySchoolsNeedToBeTraumaInformed\(2\).pdf](http://www.traumainformedcareproject.org/resources/WhySchoolsNeedToBeTraumaInformed(2).pdf)
- Schools promoting 'trauma-informed' teaching to reach troubled students: <http://edsources.org/2013/schools-focus-on-trauma-informed-to-reach-troubled-students/51619>



School gave me more than just an education.

*Committed to Transforming the Education
outcomes of Texas' most vulnerable Students...*

THANK YOU FOR JOINING
TODAY'S PRESENTATION!

